

REMARKS

This is in full and timely response to the Office Action dated February 26, 2003 relating to the amendment filed on November 20, 2002 responsive to the Action dated May 20, 2002. A divisional application had been filed as to claims 1 to 3 whereupon these claims were here canceled.

In the paper of February 26, 2003, the Examiner noted that the originally-filed claims were directed to a color CRT, whereas the amended claims submitted on November 20, 2002 were directed to an intermediate product. While this position is not acquiesced in or agreed with, to expedite the prosecution of this application, further amends are here made to the November 20, 2003 submission, to make the claims directed to a CRT.

Reexamination and reconsideration are respectfully requested of claims 4 to 8, in which claims 4 to 6 were originally rejected.

The basis for the rejection was that the claims 4 to 6 were of a "product by process nature", allegedly anticipated by the showing in Deal '820 of a heat absorbing carbon film in silica. This rejection is again respectfully traversed.

It is clear from the specification that a color cathode ray tube is made by the steps disclosed. An important feature of that process is in making a cathode ray tube, in which a panel 11, having a phosphor screen film 12, a conductive reflecting

film, are in a state suitable for receiving a sol as described on page 9 of the specification. That sol is a material that, when baked, forms the heat absorbing film 14.

The cathode ray tube of the amended claims is nonetheless a cathode ray tube than the product originally claimed. It is believed that the recitations avoid the "product by process" allegation of the Examiner. If the examiner persists in his view that product by process claims are involved, he is invited to the telephone the undersigned to discuss the matter in an effort to find mutually agreeable language defining this product.

Thus, the pending claims 4 to 6, and the newly-added claims are again recast for a CRT product, albeit one that exists prior to baking, as described on page 9 of the disclosure. It is at that state a CRT sufficient to meet the limitations of the preamble of the claims.

Thus, these claims as drafted distinguish over the final product of Deal '820 as cited by the examiner. Claim 9 recites the sol as uniformly applied to the conductive reflecting film. The sol is a product that, when baked, forms an oxide as a heat absorbing film, and contains a material in a colloidal state. Claims 5 and 6 further define the sol in the intermediate product prior to baking, and claims 7 and 8 further characterize the sol by the characteristics of the sol. No new matter is involved, based on claims 4 to 6 and pages 9 and 10 of the specification.

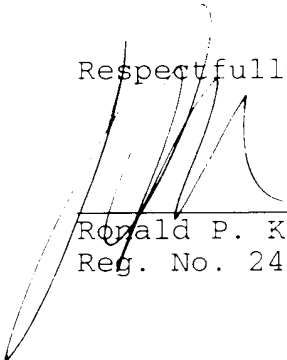
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PATENT APPLICATION

Reexamination and reconsideration are requested.

Respectfully submitted,

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